

1 to be levied the damages, and interest mentioned above, and your fees on such
2 Writ, and that you return this Writ with your doings endorsed on it, to the undersigned
3 within sixty (60) days from this date.

4 WITNESS my hand and seal of this Court this NOV 10 2004

6 /s/ Joaquin V.E. Manibusan Jr.

7 HON. JOAQUIN V.E. MANIBUSAN, JR.
8 MAGISTRATE JUDGE, DISTRICT COURT
9 OF GUAM

10 **FILED**

11 DISTRICT COURT OF GUAM

12 DEC 29 2004

13 MARY L.M. MORAN
14 CLERK OF COURT

15 RETURNED
16 UNEXECUTED

17 Date 12/29/2004

18 I HAVE SERVED THE WITHIN UNEXECUTED
19 ON 12-29-04 4:PM (WRT ORDER) BY LEAVING WITH
(DATE & TIME)

20 UNEXECUTED
(NAME & TITLE OF INDIVIDUAL SERVED)

21 JOAQUIN L.G. SALAS

22 BY: V. [Signature] USM
23 DUSM

24 **RECEIVED**
25 DEC 29 2004

DISTRICT COURT OF GUAM
HAGATNA, GUAM

U.S. Department of Justice
United States Marshals Service

RECEIVED

PROCESS RECEIPT AND RETURN

See Instructions for Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF

Kaioh Suisan Co., Ltd.

DEFENDANT

Guam YTK Corp.

SERVE



AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Bank of Guam

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

111 Chalan Santo Papa
Hagatna, Guam 96910

COURT CASE NUMBER

Civil Case No. 02-00021

TYPE OF PROCESS

Execution & Levy

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Terence E. Timblin, ESQ.
VERNIER & MAHER, LLP
115 Hesler Place, Ground Flr.
Gov. Joseph Flores Building
Hagatna, Guam 96910
Tel: 477-7059 Fax: 472-5487

Number of process to be served with this Form - 285

1

Number of parties to be served in this case

1

Check for service on U.S.A.

N/A

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Fold

Bank of Guam
P.O. BOX BW
Hagatna, Guam 96932
Tel: 472-5300
Fax: 477-5454

Hours of Operation:
Mon. - Thurs.: 10:00 a.m. - 3:00 p.m.
Friday: 10:00 a.m. - 6:00 p.m.
Saturday: 10:00 a.m. - 1:00 p.m.

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

477-7059

DATE

11-19-04

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.
(Sign only first USM 285 if more than one USM 285 is submitted)

Total Process

1

District of Origin

No. 93

District to Serve

No. 93

Signature of Authorized USMS Deputy or Clerk

[Signature]

Date

11/22/04

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

RETURNED UNEXECUTED. ATTORNEY Timblin..
REQUEST TO SERVE BANK of Guam & 1st Hawaiian
BANK "ONLY".

Date of Service

12-29-04

Time

4:00 pm

Signature of U.S. Marshal or Deputy

[Signature]

Service Fee

Total Mileage Charges (including endeavors)

Forwarding Fee

Total Charges

Advance Deposits

50.00

Amount owed to U.S. Marshal or

Amount of Refund

REMARKS:

ck # 7501 dtd 11/24/04 - Citizens Security
\$100.00 - (\$50/\$50 w/ 1st Hawaiian process)

CHECK TO
APPLY TO
AMENDED WRIT.

PRIOR EDITIONS
MAY BE USED

1. CLERK OF THE COURT

FORM USM-285 (Rev. 12/15/80)

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NOV 10 2004

MARY L. M. MORAN
CLERK OF COURT

1 **Terence E. Timblin**
2 **VERNIER & MAHER, LLP**
3 **115 Hesler Place, Ground Floor**
4 **Governor Joseph Flores Building**
5 **Hagåtña, Guam 96910**
6 **Telephone: (671) 477 7059**
7 **Facsimile: (671) 472-5487**

8 **Attorney for Plaintiff**
9 **KAIOH SUISAN CO., LTD.**

10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF GUAM**

12 KAIOH SUISAN CO., LTD.)	CIVIL CASE NO. 02-00021
)	
13 Plaintiff,)	
)	
14 vs.)	WRIT OF EXECUTION
)	
15 GUAM YTK CORP.,)	
)	
16 Defendant.)	
)	
)	

17
18 **TO: THE UNITED STATES MARSHAL SERVICE, GREETINGS:**

19 Plaintiff KAIOH SUISAN CO., LTD. ("KAIOH SUISAN"), on August 24, 2004,
20 obtained Judgment, before the Honorable District Court Judge Ronald Lew, in
21 Hagåtña, Guam, against Defendant **GUAM YTK CORPORATION**, Post Office Box
22 24134, GMF Guam, 96921, that Plaintiff KAIOH SUISAN shall recover the sum of Eight
23 Hundred Sixteen Thousand Seven Hundred Seventy-Five and 68/100 Dollars
24 (\$816,775.68); prejudgment interest at the rate of two percent (2%) per annum from
25 the due date of each installment provided for in the Agreement until the date of

1 Judgment (i.e., August 24, 2004) or the sum of \$65,986.65; and post judgment
2 interest from the date of the entry of Judgment (i.e., August 24, 2004) until fully
3 satisfied.

4 WHEREAS, there remains a balance of the Judgment in the sum of Eight
5 Hundred Sixteen Thousand Seven Hundred Seventy-Five and 68/100 Dollars
6 (\$816,775.68), prejudgment interest of \$65,986.65; and statutory interest, presently
7 due and owing as the Defendant **GUAM YTK CORPORATION** has not paid any part
8 thereof.

9
10 NOW, THEREFORE, you are commanded to take with you the power of the
11 Territory, if necessary, and to seize, attach, levy and sell that of the monies,
12 accounts, goods and chattels of Defendant **GUAM YTK CORPORATION** in and to
13 the following specified banks:

14 **BANK OF GUAM**
15 **BANK OF HAWAII**
16 **BANKPACIFIC**
17 **CITIBANK, N.A.**
18 **CITIZENS SECURITY BANK**
19 **COMMUNITY FIRST GUAM FEDERAL CREDIT UNION**
20 **FIRST HAWAIIAN BANK**
21 **GOVERNMENT OF GUAM EMPLOYEES' FEDERAL CREDIT UNION**
22 **METROPOLITAN BANK & TRUST**
23 **NAVMAR FEDERAL CREDIT UNION**
24 **NAVY FEDERAL CREDIT UNION**
25 **PENTAGON FEDERAL CREDIT UNION**
UNION BANK OF CALIFORNIA
USA FEDERAL CREDIT UNION

26
27 YOU ARE FURTHER COMMANDED to take with you the power of the
28 Territory, if necessary, and to seize, attach, levy and sell that of the monies,
29 accounts, goods and chattels of Defendant **GUAM YTK CORPORATION** you cause